

MICHIGAN CIVIL RIGHTS COMMISSION MEETING

Monday, September 18, 2017 ~ 4:00 p.m.

Lansing Center, Ballroom 1

333 E Michigan Avenue

Lansing, Michigan

MINUTES

PRESENT: Commission Co-Chair Rasha Demashkieh
Commission Co-Chair Laura Reyes-Kopack
Commission Secretary Deloris Hunt
Commissioner Ricardo Resio
Commissioner Jeffrey Sakwa
Commissioner Linda Lee Tarver
Commissioner Bradley Voss

EXCUSED: Commissioner Mumtaz Haque

CALL TO ORDER / ROLL CALL

The meeting was Called to Order at 4:00 p.m. by Commission Co-Chair Rasha Demashkieh. Roll Call of the Commissioners was taken to determine a quorum. Commissioner Hunt, Commissioner Sakwa, Commission Co-Chair Demashkieh, Commission Co-Chair Reyes-Kopack, Commissioner Resio, Commissioner Tarver, Commissioner Voss. With seven of eight commissioners present, quorum requirements were met.

APPROVAL OF MEETING AGENDA

MOTION: Move to Approve the Meeting Agenda as submitted.

On Motion duly made (Commissioner Tarver) and supported (Commissioner Reyes-Kopack), the Meeting Agenda was Approved. Motion carried unanimously.

ADOPTION OF CONSENT AGENDA

MOTION: Move to Adopt the Consent Agenda as submitted.

On Motion duly made (Commissioner Tarver) and supported (Commissioner Resio), the Consent Agenda was Adopted. Motion carried unanimously.

APPROVAL OF MINUTES FROM JULY 24, 2017 MEETING

MOTION: Move to Approve the Minutes from the July 24, 2017 Meeting as submitted.

On Motion duly made (Commissioner Reyes-Kopack) and supported (Commissioner Tarver), the Meeting Minutes were Approved. Motion carried unanimously.

DIRECTOR'S REPORT, Executive Director Agustin V. Arbulu

In addition to Director Arbulu's submitted written report, highlights included the MIAAHC 10th Annual "Response To Hate" Conference, completion and submission of the Annual Report, status update on the K-12 Civil Rights curriculum, Racial Equity Training and TRHT, Hate/Bias incidents in Kalkaska, introduction of new MDCR Staff (Charles Archie, Amanda Bradley, Monique Cottrell, Kimberly Hall, Tamara Ortiz-Ramos, Kimberly Williams). Commissioner Tarver requested that the MIAAHC Hate Crime Conference curriculum be more balanced. Commissioner Demashkieh requested an update on the Mason case. Brief discussion on Per Diem issue.

CLOSED SESSION

MOTION: Move to briefly Adjourn for Closed Session to discuss end of year bonus for Director Arbulu and related matters.

On Motion duly made (Commissioner Sakwa) and supported (Commissioner Hunt), the Motion to Adjourn for Closed Session was Approved. *Motion carried unanimously.*

RE-OPEN SESSION

MOTION: Move to Reconvene Commission Meeting from Closed Session.

On Motion duly made (Commissioner Tarver) and supported (Commissioner Hunt), Motion to Reconvene was Approved. *Motion carried unanimously.*

During the closed session a Motion was made by Commissioner Tarver and seconded by Commissioner Sakwa to award the Director of the Department of Civil Rights a one-time lump sum bonus of 16.25% of his salary. The Motion passed by a unanimous vote and was made in consideration for non-bonus award during the last fiscal year.

COMMISSION MATTERS

ADOPTION OF PROPOSED PROCEDURAL RULES

Commissioner Demashkieh read the proposed Procedural Rules into the record for consideration.

MOTION: Move to Adopt the proposed Procedural Rules for Michigan Civil Rights Commission Meeting of September 18, 2017 regarding Request for Interpretative Statement.

On Motion duly made (Commissioner Resio) and supported (Commissioner Hunt), the Procedural Rules were Adopted. *Motion carried unanimously.*

CO-CHAIR REPORT, Commissioner Rasha Demashkieh

The Co-Chair's Report was waived.

ATTORNEY GENERAL REPORT, AAG Ron Robinson

The Attorney General Report was waived.

ONGOING BUSINESS

Education Report Summary

Commissioner Demashkieh indicated that Director's Arbulu's update on the Education Report Summary, an agenda item that was tabled at the July 24th meeting would continue to be tabled until the November 13th meeting.

Addressing the EQMI Request for Interpretative Statement on "sex"

MOTION: Move to accept and incorporate into the record all written Public Comments received within the Public Comment period of July 25, 2017 through August 15, 2017.

On Motion duly made (Commissioner Sakwa) and supported (Commissioner Reyes-Kopack), the Motion to accept and incorporate into the record all written Public Comments received during the Public Comment period of July 25, 2017 through August 15, 2017 was approved. *Motion carried unanimously.*

PUBLIC COMMENT

OPPOSED

Judge William Wagner, David Kallman, Gary Wnuk, LeAnn Kirrmann, Dr. Doug Levak, Pastor Rusty Chatfield, Pastor Jason Georges, Pastor Gene Haymaker, Senator Patrick Colbeck, Douglas Dosson, Pastor Mike Reece, Pastor Bruce Barker, Dr. Stephen Gliske, Randy Bishop, Pastor Todd Vanaman, Hon. Thomas North, Tracey Lee, Mark Gurley, Rob Kamrath, Marcey Kosachuk, Dr. David Oliver, Stephanie Farman, Jeff Johnson, Pam Hooker, Dr. Joel Beeke, Mary Beeke, Mark Petzold, Pastor Gib Brown, Pastor Tim Berlin, William Landgrebe, Deborah Van Dyke, Thomas Coy

SUPPORT

Nicole Ellefson, Jay Kaplan, Jay Maddock, Nikki Joly, Debra Bennett, Grace Bacon, Charin Davenport, Lisa Goyette, Mary Pollock, Liliana Angel Reyes, Marsha Caspar, Glenna DeJong, Jason Krzysiak, Nathan Triplett, Stephanie White, Carl Struble, Howard Spence, Stephanie DiPonio, Sarah Fox-Long, Emily Dievendorf, Jacqueline Himelright, Edward Smith, Brian Frol, Chris Lauckner, Amy Buttery, Paul Lukasiewicz, Leo Romo, John Morgan

Commissioner Reyes-Kopack read the following names into the record:

OPPOSED, NO PUBLIC STATEMENT DURING SESSION

Shelly Landgrebe, Grace Kosachik, Bill Kosachik, Anne Graves, Brian Cusack, Jim Wierenga, Leslie Jakeway, Dr. Tim Schmig, Pastor Steve Smail, Dave Levin, Sr., Becky Koontz, Don Koontz, Pastor William Bump, Ronald Thompson, Nathan Yerian, Parker Spears, Irene Goddard, Jon Thompson, Alyssa Good, Daniel Davis, Jr., Natalie McCumby, Ronald May, Abigail Vandeyacht, Luke Litzner, Faith Finch, Zachary Castleberg, Ben Thompson, Ryder McCalley, Katie Firman, Merribeth Thompson,

Christiana Castleberg, Emily Mitchell, Jill Allen, Jan Polinder, Judy Sterling, Emmitt Fox, Pastor John Weigle, Samuel Mitchell, Emma Alsep, Phillip Alsep, Rhonda Fuller, Joan Jacobson, Ann Knox, Doug Levesque

SUPPORT, NO PUBLIC STATEMENT DURING SESSION

Sheila Shorkey, Jared Volz, LaShawn Erby, Jamie Champagne, Katherine Champagne, Keith Van Camp, James Sims, Ash Herald, Thomas Rogers, Linda Galbrett, Beth Bowen, Justin Gallandt, Deborah Holbrook, Heather Marlow

NO POSITION, NO PUBLIC STATEMENT DURING SESSION

Lawrence Thompson

MOTION: Move to Recess for five minutes.

On Motion duly made (Commissioner Sakwa) and supported (Commissioner Tarver), a five minute Recess was Approved. *Motion carried unanimously.*

Commission reconvened after five minute recess.

COMMISSIONER DELIBERATIONS

MOTION: (Commissioner Sakwa) Move to vote for Option 4 and table this issue.

(Supported by Commissioner Tarver)

Following Discussion, Commissioner Sakwa withdrew his Motion.

MOTION: To request the Department to ask for a formal opinion from the Attorney General's Office on the division level's opinion regarding that state law does not support the request of Equality Michigan in making to the Commission to interpret the meaning of sex to include gender identity and sexual orientation.

On Motion duly made (Commissioner Demashkieh) and supported (Commissioner Voss), the Commission directs the Department to request a formal opinion from the Attorney General's Office. *Motion carried by majority vote of 5-2.*

IN FAVOR: Commissioner Demashkieh, Commissioner Voss, Commissioner Hunt, Commissioner Sakwa, Commissioner Reyes-Kopack

OPPOSED: Commissioner Tarver, Commissioner Resio

MOTION: Having reviewed the request, the Commission declines to provide an interpretative statement at this time and Moves to place this item on the table.

On Motion duly made (Commissioner Sakwa) and supported (Commissioner Voss), the Commission tabled this issue. *Motion carried unanimously.*

NEW BUSINESS

There was no new business.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

MOTION: Move for Adjournment.

On Motion duly made (Commissioner Sakwa) and supported (Commissioner Tarver), Adjournment of the meeting of the Michigan Civil Rights Commission at 8:01 p.m. was Approved. *Motion carried unanimously.*

The meeting Adjourned at 8:01 p.m.

Secretary

Executive Director

DRAFT